

27297. Metabolin capsules. (F.D.C. No. 44746. S. No. 41-197 R.)

QUANTITY: 874 100-capsule boxes at Litchfield, Ill.

SHIPPED: 5-19-58, 8-12-58, 9-4-58, and an unknown date, from Atlanta, Ga. These were return shipments.

LABEL IN PART: "Metabolin * * * Each Metabolin Capsule contains: Natural Non-activated Carbon 200 mg. Pepsin USP 15 mg. Thiamin Mononitrate USP 2.5 mg. Riboflavin USP 3.0 mg. Niacin USP 20 mg. Iron from Natural Sources, and Ferrous Sulfate 17 mg. Selected, Dried, Processed, and Naturally Fermented Grains* (corn, wheat, milo and oats) 400 mg. * * * Directions * * * Distributed by Plopper's Laboratories, Inc., Litchfield, Illinois."

ACCOMPANYING LABELING: Leaflet in box entitled "Metabolin is the Natural Way."

LIBELED: 8-1-60, S. Dist. Ill.

CHARGE: 403(j)—when shipped, the article purported to be and was represented as a food for special dietary use by reason of its vitamin and mineral content, and its label failed to bear, as required by regulations, a statement of the minimum daily requirement for vitamin A, vitamin B₁, vitamin C, vitamin D, riboflavin, or niacin or niacinamide, and iron, supplied by such food when consumed in a specified quantity during a period of one day.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6434.

DISPOSITION: 1-4-61. Default—destruction.

27298. Lecithin granules. (F.D.C. No. 44731. S. No. 49-967 R.)

QUANTITY: 1 50-lb. drum and 3 14-oz. btls. at Denver, Colo.

SHIPPED: The article was shipped in a bulk drum on 3-23-60, from Decatur, Ill., by A. E. Staley Mfg. Co.

LABEL IN PART: (Drum) "Staley's Granular Lecithin Edible Soybean Phosphatides" and (btl.) "Glo-Way Chemical Co. * * * Lecithin * * * Granules From Soy Beans."

ACCOMPANYING LABELING: Booklet entitled "Lecithin and Health."

RESULTS OF INVESTIGATION: The 14-oz. bottles were packed by the dealer from the bulk stock shipped as described above.

LIBELED: 7-20-60, Dist. Colo.

CHARGE: 403(j)—when shipped and while held for sale, the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content and its label failed to bear as required by regulations a statement of the proportion of the minimum daily requirement for vitamins B₁, B₂, niacin, and phosphorous, supplied by such food when consumed in a specified quantity during a period of one day.

The article was alleged to be misbranded also under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6433.

DISPOSITION: 9-6-60. Default—destruction.

27299. Ulcertrol. (F.D.C. No. 42661. S. No. 47-135 P.)

QUANTITY: 42 12-oz. ctnd. btls. at White Pigeon, Mich., in possession of Ulcertrol, Inc.

SHIPPED: Two ingredients of the article, grapefruit juice and lemon juice, had been shipped on unknown dates from New York, N.Y., Davenport, Fla., and Ontario, Calif.

LABEL IN PART: "Ulcertrol A Completely New Ulcer Treatment * * * Made * * * of the following: Potato water, orange, lemon & grapefruit juices * * * Ulcertrol, Inc., White Pigeon, Michigan."

ACCOMPANYING LABELING: Leaflet enclosed in each carton entitled "Ulcertrol."

RESULTS OF INVESTIGATION: The article was manufactured by the dealer at White Pigeon, Mich., using, among other ingredients, the ingredients which had been shipped in interstate commerce as described above.

LIBELED: 1-19-59, W. Dist. Mich.; amended 12-31-59.

CHARGE: 403(a)—while held for sale, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for stomach ulcers.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6431.

DISPOSITION: Ulcertrol, Inc., appeared as claimant and filed an answer. Thereafter, the Government served written interrogatories upon the claimant and, on 9-16-59, the claimant made certain replies to the interrogatories. Subsequently, motions were filed by the Government and granted by the court to compel further and complete answers to the interrogatories. Such answers were furnished by the claimant. On 9-8-60, a motion for summary judgment was filed by the Government. Such motion was not opposed by the claimant and, on 2-7-61, the court entered a decree of condemnation and destruction.

27300. W & S Protein 90. (F.D.C. No. 44854. S. No. 20-470 R.)

QUANTITY: 9 cases, each containing 6 pkgs., each pkg. containing 1 30-capsule btl. and 1 360-tablet btl., at Warren, Mich.

SHIPPED: 4-13-60, from Riverside, Calif., by Ward & Stalnaker.

LABEL IN PART: (Pkg.) "W & S Protein 90 * * * Package contains 360 tablets W & S Protein 90 30 Capsules W & S Protein 90 Supplement * * * Each tablet contains: Protein (Natural Meat) 90% Moisture 3% Ash 7% Carbohydrates 0 Fat 0 Supplement Ingredients: Sodium Carboxy Methyl Cellulose 8 grains Phenylasitin (conc. Prune) 9.5 mg. Essential Amino Acids; Natural Amino Acids of meat proteins essential in the daily diet * * * W-S Sales Riverside, California."

ACCOMPANYING LABELING: Folders entitled "Secrets of Natural Health" and "Secrets of Weight Control."

RESULTS OF INVESTIGATION: Analysis of the article showed that it contained approximately 75 percent of the declared amount of protein.

LIBELED: 8-29-60, E. Dist. Mich.

CHARGE: 403(a)—when shipped, the label statement "Each tablet contains protein 90%" was false and misleading as applied to a product containing less than the declared amount of protein; the label statement "Phenylasitin (conc. Prune)" was false and misleading since phenylasitin is not concentrated prunes; the labeling contained representations that the article was a food supplement which were false and misleading since the article also contained capsules consisting of sodium carboxy-methyl-cellulose, a non-nutritive sub-